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Attorneys for Defendants Rimini Street, Inc.,  
 and Seth Ravin

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ORACLE USA, Inc., a Colorado corporation;  
ORACLE AMERICA, INC., a Delaware  
corporation; and ORACLE INTERNATIONAL  
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;  
and SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-PAL

**STIPULATION AND [PROPOSED]  
ORDER RE DERIVATIVE WORKS**

Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corp.  
(collectively, “Oracle” or “Plaintiffs”) and Defendants Rimini Street, Inc. (“Rimini Street”) and  
Seth Ravin (“Ravin”) (together, “Rimini” or “Defendants”; together with Oracle, the “Parties”) jointly submit this Stipulation and Order.

WHEREAS,

1. Oracle’s original Complaint and its First Amended Complaint alleged that Defendants infringed certain registered copyrighted works. Out of an abundance of caution, Oracle included allegations that Defendants infringed registrations for certain predecessor versions of a given work, in case Defendants took the position that a registration for a given release protects only the incremental changes from the previous release;

2. Defendants will not contend that a registration for a given release protects only the incremental changes from the previous release;

3. Accordingly, the Parties enter into this stipulation to narrow the issues in dispute for trial, specifically, by agreeing that Oracle need not allege infringement of the predecessor registrations;

NOW, THEREFORE, THE PARTIES HEREBY STIPULATE, through their respective counsel of record, as follows:

**I. DEFINITIONS**

1. The term “Relevant Oracle Software” shall refer to Oracle’s J.D. Edwards-branded enterprise software and support materials, PeopleSoft-branded enterprise software and support materials, Siebel-branded enterprise software and support materials, or Oracle database software and related support materials.

**II. STIPULATIONS**

2. The scope of copyright protection for each registered work listed in Exhibit A shall include all protected expression contained within that registered work, including both protected expression that is also found within a previous version of the registered work and protected expression that is not found in any previous version of the registered work. Defendants will not contend that protected expression is not covered by a registration-in-suit on the grounds that the same protected expression is also covered by a previous version of the registered work.

3. To the extent that any executed, written license to a version of Relevant Oracle Software granted by Oracle to a Rimini Street, Inc. customer listed in Exhibit B includes a limited and nonexclusive license to all or a portion of a registered work listed on Exhibit A, that limited and nonexclusive license, subject to the terms and conditions stated in the written license, shall be deemed to include all of the protected expression for the licensed portion of the registered work, including but not limited to protected expression that also exists in a previous version of the registered work. This stipulation shall not alter any other limitation, term, or condition of any written license grant by Oracle.

**III. APPLICABILITY**

4. This stipulation is for purposes of this action only and has no force or effect in any other proceeding or jurisdiction.

1 Dated: June 1, 2011

3 BINGHAM McCUTCHEN LLP

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**ATTESTATION OF FILER**

The signatories to this document are myself and Robert Reckers and I have obtained Mr. Reckers's concurrence to file this document on his behalf.

Dated: June 1, 2011


BINGHAM McCUTCHEN LLP

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*Attorneys for Plaintiffs*

IT IS SO ORDERED.

Dated: June 4, 2011

  
Peggy A. Leen  
United States Magistrate Judge

# EXHIBIT A

|    | <b>Title of Work</b>   | <b>Date of Registration</b> | <b>Registration Number</b> |
|----|--|-----------------------------|----------------------------|
| 1  | PeopleTools 7.5  | November 20, 1998           | TX 4-792-578               |
| 2  | PeopleSoft 7.0 financials, distribution & manufacturing 7.0  | December 15, 1998           | TX 4-792-576               |
| 3  | PeopleSoft HRMS 7.0  | December 15, 1998           | TX 4-792-577               |
| 4  | PeopleSoft HRMS 7.5  | December 15, 1998           | TX 4-792-575               |
| 5  | PeopleSoft Financials, Distribution & Manufacturing 7.5  | December 15, 1998           | TX 4-792-574               |
| 6  | PeopleSoft Benefits Administration 7.50  | June 14, 1999               | TX 5-072-090               |
| 7  | PeopleSoft Benefits Administration 7.0   | June 15, 1999               | TX 4-258-824               |
| 8  | PeopleSoft Payroll Interface 7.50  | June 21, 1999               | TX 3-772-292               |
| 9  | PeopleSoft Pension Administration 7  | June 21, 1999               | TX 3-772-290               |
| 10 | PeopleSoft Pension Administration 7.50   | June 21, 1999               | TX 3-772-291               |
| 11 | PeopleSoft Payroll 7   | June 22, 1999               | TX 4-501-140               |
| 12 | PeopleSoft Payroll Interface 7   | June 22, 1999               | TX 4-501-138               |
| 13 | PeopleSoft Human Resources 7   | June 28, 1999               | TX 4-994-865               |
| 14 | PeopleSoft Human Resources 7.50  | June 28, 1999               | TX 5-013-123               |
| 15 | PeopleSoft Payroll 7.50  | June 28, 1999               | TX 5-013-125               |
| 16 | PeopleSoft Payroll Interface 7 Higher Education  | June 28, 1999               | TX 5-013-124               |
| 17 | PeopleSoft Time and Labor 7  | June 28, 1999               | TX 5-013-128               |
| 18 | PeopleSoft Time and Labor 7.0  | June 28, 1999               | TX 4-994-866               |
| 19 | PeopleSoft Time and Labor 7.50   | June 28, 1999               | TX 4-994-867               |
| 20 | PeopleTools 8.0  | September 5, 2000           | TX 5-266-222               |
| 21 | PeopleTools 8.10   | September 5, 2000           | TX 5-266-221               |
| 22 | PeopleSoft HRMS 8.0  | November 20, 2000           | TX 5-291-440               |
| 23 | PeopleSoft Financials and Supply Chain Management (FIN/SCM) 8.0  | November 20, 2000           | TX 5-291-439               |
| 24 | PeopleSoft 8 HRMS PeopleBooks  | November 28, 2000           | TX 5-311-638               |
| 25 | PeopleSoft 8 Financials and Supply Chain Management PeopleBooks  | November 28, 2000           | TX 5-311-637               |
| 26 | PeopleSoft 8 HRMS SP1  | March 26, 2001              | TX 5-501-312               |
| 27 | Oracle 8i Enterprise Edition, release 2 (8.1.6)  | February 2, 2001            | TX 5-222-106               |
| 28 | PeopleSoft 8 FIN/SCM SP1   | March 26, 2001              | TX 5-501-313               |
|    | PeopleSoft 8 EPM SP3   | March 30, 2001              | TX 5-345-698               |
|    | PeopleSoft 8 Customer Relationship Management PeopleBooks  | September 27, 2001          | TX 5-456-778               |
|    | PeopleSoft 8 Promotions Management, Collaborative Supply Management, eRFQ, Supplier Connection, and Supply Chain Portal Pack PeopleBooks | September 27, 2001          | TX 5-456-781               |
|    | PeopleSoft 8 Customer Relationship Management  | September 27, 2001          | TX-5-456-777               |

|    | <b>Title of Work</b>  | <b>Date of Registration</b> | <b>Registration Number</b> |
|----|---|-----------------------------|----------------------------|
| 1  | PeopleSoft 8 Financials and Supply Chain Management: Service Pack 2 | September 27, 2001          | TX-5-456-780               |
| 2  | PeopleSoft 8 FIN/SCM SPI PeopleBooks                                | October 19, 2001            | TX 5-595-355               |
| 3  | PeopleSoft 8 Student Administration Solutions PeopleBooks           | November 30, 2001           | TX 5-431-290               |
| 4  | PeopleSoft 8 Student Administration Solutions                       | November 30, 2001           | TX 5-431-289               |
| 5  | PeopleSoft 8.3 HRMS PeopleBooks                                     | February 1, 2002            | TX 5-469-031               |
| 6  | PeopleSoft 8.3 HRMS   | February 1, 2002            | TX 5-469-032               |
| 7  | PeopleSoft 8.3 Enterprise Performance Management PeopleBooks        | March 11, 2002              | TX 5-485-842               |
| 8  | PeopleSoft 8.3 Enterprise Performance Management                    | March 11, 2002              | TX 5-485-839               |
| 9  | PeopleSoft 8.1 Customer Relationship Management PeopleBooks         | March 20, 2002              | TX 5-733-209               |
| 10 | PeopleSoft 8.1 Customer Relationship Management                     | March 20, 2002              | TX 5-493-450               |
| 11 | PeopleSoft 8.4 Financials and Supply Chain Management               | August 5, 2002              | TX-5-586-247               |
| 12 | PeopleTools 8.4   | August 5, 2002              | TX 5-586-248               |
| 13 | PeopleTools 8.4 PeopleBooks   | August 5, 2002              | TX 5-586-249               |
| 14 | PeopleSoft 8.4 Financials and Supply Chain Management PeopleBooks   | August 5, 2002              | TX 5-586-246               |
| 15 | PeopleSoft 8.4 Customer Relationship Management PeopleBooks         | August 7, 2002              | TX 5-586-236               |
| 16 | Oracle 9i Database Enterprise: Edition Release 1                    | June 13, 2003               | TX 5-673-281               |
| 17 | Oracle 9i Database Enterprise: Edition Release 2                    | June 13, 2003               | TX 5-673-282               |
| 18 | PeopleSoft 8.8 HRMS   | June 11, 2004               | TX 6-093-947               |
| 19 | PeopleSoft 8.8 Customer Relationship Management                     | June 11, 2004               | TX 6-015-317               |
| 20 | PeopleSoft 8.8 Enterprise Performance Management                    | June 11, 2004               | TX-5-993-616               |
| 21 | Initial release of JDE EnterpriseOne XE                             | April 26, 2007              | TX 6-541-033               |
| 22 | Cumulative Update 8 for JDE EnterpriseOne Xe                        | April 26, 2007              | TX 6-541-048               |
| 23 | Initial release of JDE EnterpriseOne 8.0                            | April 26, 2007              | TX 6-541-050               |
| 24 | Cumulative Update 1 for JDE EnterpriseOne 8.0                       | April 26, 2007              | TX 6-541-034               |
| 25 | Initial release of JDE EnterpriseOne 8.9                            | April 26, 2007              | TX 6-541-049               |
| 26 | Initial release of JDE EnterpriseOne 8.10                           | April 26, 2007              | TX 6-541-038               |
| 27 | Cumulative Update 2 for JDE EnterpriseOne 8.10                      | April 26, 2007              | TX 6-541-032               |
| 28 |   |                             |                            |



|    | <b>Title of Work</b>   | <b>Date of Registration</b> | <b>Registration Number</b> |
|----|--|-----------------------------|----------------------------|
| 1  | Initial release of JDE EnterpriseOne 8.11                                    | April 26, 2007              | TX 6-541-028               |
| 2  | Initial release of JDE EnterpriseOne 8.11 SP1                                | April 26, 2007              | TX 6-541-040               |
| 3  | ESU for JDE EnterpriseOne 8.11 SP1   | April 26, 2007              | TX 6-541-027               |
| 4  | Cumulative Update 1 for JDE EnterpriseOne 8.11 SP1                           | April 26, 2007              | TX 6-541-039               |
| 5  | Initial release of JDE EnterpriseOne 8.12                                    | April 26, 2007              | TX 6-541-041               |
| 6  | ESU for JDE EnterpriseOne 8.12   | April 26, 2007              | TX 6-541-045               |
| 7  | Cumulative Update 1 for JDE EnterpriseOne 8.12                               | April 26, 2007              | TX 6-541-042               |
| 8  | Initial release of JDE World A7.3  | April 26, 2007              | TX 6-541-029               |
| 9  | Cumulative Update 16 for JDE World A7.3                                      | April 26, 2007              | TX 6-541-031               |
| 10 | Initial release of JDE World A8.1  | April 26, 2007              | TX 6-541-047               |
| 11 | Code Change for JDE World A8.1   | April 26, 2007              | TX 6-541-044               |
| 12 | Initial release of JDE World A9.1  | April 26, 2007              | TX 6-541-030               |
| 13 | Cumulative Update 6 for JDE World A8.1                                       | May 1, 2007                 | TX 6-545-421               |
| 14 | Oracle Database 10g: Release 1   | January 16, 2009            | TX 6-938-648               |
| 15 | Oracle Database 10g: Release 2   | June 29, 2009               | TX 6-942-003               |
| 16 | Siebel 6.3 Initial Release and Documentation                                 | June 29, 2009               | TX 6-941-989               |
| 17 | Siebel 7.0.5 Initial Release and Documentation                               | June 29, 2009               | TX 6-941-988               |
| 18 | Siebel 7.5.2 Initial Release and Documentation                               | June 29, 2009               | TX 6-941-990               |
| 19 | Siebel 7.7.1 Initial Release and Documentation                               | June 29, 2009               | TX 6-941-993               |
| 20 | Siebel 7.8 Initial Release and Documentation                                 | June 29, 2009               | TX 6-941-995               |
| 21 | Siebel 8.0 Initial Release and Documentation                                 | June 29, 2009               | TX 6-942-000               |
| 22 | Siebel 8.1.1 Initial Release and Documentation                               | June 29, 2009               | TX 6-942-001               |
| 23 | Database of Documentary Customer Support Materials for J.D. Edwards Software | July 1, 2009                | TXu1-607-455               |
| 24 | Cumulative Update 3 for JDE EnterpriseOne 8.12                               | January 15, 2010            | TX-7-041-278               |
| 25 | Initial release of JDE EnterpriseOne 9.0                                     | January 15, 2010            | TX 7-041-256               |
| 26 | Cumulative Update 1 for JDE EnterpriseOne 9.0                                | January 15, 2010            | TX 7-041-267               |
| 27 | Initial release of JDE World A9.2  | January 15, 2010            | TX 7-041-290               |
| 28 | PeopleSoft HRMS 8.8 SP1  | February 10, 2010           | TX 7-065-376               |
|    | PeopleSoft HRMS 8.9  | February 10, 2010           | TX 7-065-381               |
|    | PeopleSoft HRMS 9.0  | February 10, 2010           | TX 7-065-386               |
|    | PeopleSoft HRMS 9.1  | February 10, 2010           | TX 7-065-398               |
|    | PeopleSoft Customer Relationship Management 8.8 SP1                          | February 10, 2010           | TX 7-063-664               |

|    | <b>Title of Work</b>                                      | <b>Date of Registration</b> | <b>Registration Number</b> |
|----|---|-----------------------------|----------------------------|
| 1  | PeopleSoft Customer Relationship Management 8.9           | February 10, 2010           | TX 7-063-668               |
| 2  | PeopleSoft Customer Relationship Management 9.0           | February 10, 2010           | TX 7-065-371               |
| 3  | PeopleSoft Customer Relationship Management 9.1           | February 10, 2010           | TX 7-063-653               |
| 4  | PeopleSoft Financials and Supply Chain Management 8.8     | February 10, 2010           | TX 7-063-688               |
| 5  | PeopleSoft Enterprise Performance Management 8.8 SP2      | February 10, 2010           | TX 7-063-683               |
| 6  | PeopleSoft Enterprise Performance Management 8.9          | February 10, 2010           | TX 7-063-672               |
| 7  | PeopleSoft Enterprise Performance Management 9.0          | February 10, 2010           | TX 7-063-679               |
| 8  | PeopleSoft Financials and Supply Chain Management 8.8 SP1 | February 11, 2010           | TX 7-065-319               |
| 9  | PeopleSoft Financials and Supply Chain Management 8.9     | February 11, 2010           | TX 7-065-332               |
| 10 | PeopleSoft Financials and Supply Chain Management 9.0     | February 11, 2010           | TX 7-065-354               |
| 11 | PeopleSoft Financials and Supply Chain Management 9.1     | February 11, 2010           | TX 7-065-357               |
| 12 | PeopleSoft Student Administration Solutions 8.0 SP1       | February 24, 2010           | TX 7-077-447               |
| 13 | PeopleSoft Campus Solutions 8.9                           | February 24, 2010           | TX 7-077-451               |
| 14 | PeopleSoft Campus Solutions 9.0                           | February 24, 2010           | TX 7-077-460               |
| 15 | PeopleTools 8.42  | March 8, 2010               | TX 7-092-406               |
| 16 | PeopleTools 8.43  | March 8, 2010               | TX 7-092-603               |
| 17 | PeopleTools 8.44  | March 8, 2010               | TX 7-092-583               |
| 18 | PeopleTools 8.45  | March 8, 2010               | TX 7-092-617               |
| 19 | PeopleTools 8.46  | March 8, 2010               | TX 7-092-772               |
| 20 | PeopleTools 8.47  | March 8, 2010               | TX 7-092-797               |
| 21 | PeopleTools 8.48  | March 8, 2010               | TX 7-092-819               |
| 22 | PeopleTools 8.49  | March 8, 2010               | TX 7-092-855               |
| 23 | PeopleTools 8.50  | March 8, 2010               | TX 7-092-757               |
| 24 | Oracle Database 11g Release 1                             | March 24, 2011              | TX 7-324-157               |
| 25 | Oracle Database 11g Release 2                             | March 24, 2011              | TX 7-324-158               |

# EXHIBIT B

**DOCUMENT FILED  
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